

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 18-24227-CIV-ALTONAGA/Goodman

JASON MILLER,

Plaintiff,

v.

GIZMODO MEDIA GROUP, LLC; *et al.*,

Defendants.

ORDER

THIS CAUSE came before the Court on the parties' Joint Motion to Amend Certain Pretrial Deadlines [ECF No. 131], filed May 17, 2019. The parties seek to extend certain deadlines in the Amended Scheduling Order [ECF No. 101]. (*See id.* 1). The Court entered that Amended Scheduling Order on April 1, 2019, providing the parties with their requested enlarged pre-trial deadlines. The parties now seek an *additional* extension, this time of the *Daubert* motion deadline and the anticipated summary judgment reply deadline. (*See id.*). As a basis for the extension, the parties point to various "time constraints." (*Id.* 2).

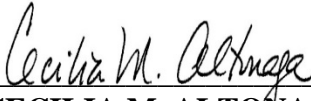
Mere convenience does not satisfy the rigorous good-cause showing necessary under Federal Rule of Civil Procedure 16(b)(4). The hallmark of Rule 16(b)(4) is diligence. The parties have not shown how, despite their diligence since the April 1, 2019 Amended Scheduling Order, they are unable to meet the Court's pre-trial deadlines. What is more, the parties have not yet deposed the expert witnesses, and yet seem confident *Daubert* motions will be forthcoming. These circumstances do not support an extension of the Court's Amended Scheduling Order.

Accordingly, it is

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ORDERED AND ADJUDGED that the parties' Joint Motion to Amend Certain Pretrial Deadlines [ECF No. 131] is **DENIED**.

DONE AND ORDERED in Miami, Florida, this 20th day of May, 2019.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record